

Direct quotes from the initial disciplinary notice are in black; my responses are in red.

Debra Lenik, as an Events Director, you have been unable to effectively communicate with and about others. Below is a list of behavior that requires improvement:

a) Communication with the Board, volunteer community, office employees, contractors and other individuals about decisions from the Board, Executive Director and other leadership has not been collaborative or appropriate. This includes:

i) You requested to add contagioncy@magfest.org back to the contract negotiation emails with assertions that it was necessary in the slack channel #hotel_negotiations with volunteers and a contractor on 7/22/20 in the #contagioncy_private Slack channel after being informed it would not be added.

Yes, I did do this, the summary of which is “I was informed after the fact that an email list would not be added to an email thread, but then I still requested that it be added.” Unbeknownst to me, the board had privately instructed Colette (our venue liaison and my direct report) to stop cc:ing contagioncy@magfest.org (and therefore me) on emails with the Gaylord regarding our contract negotiations. When she later brought up an email chain in Slack that I hadn’t seen, I asked her to copy me on it as normal, putting her in what I imagine was a very uncomfortable position of having to inform me that the board had told her not to. I had to spend almost two full working days advocating for my right to be added back onto the contract negotiation emails, even though overseeing venue contracts are part of my written job description. After detailing my questions and concerns clearly and professionally in Slack, I was told that the board refused to discuss it with me further except via one-on-one phone call. An example excerpt from this thread is here; further available upon request.

ii) In a follow-up about the hotel contracts on 7/22/20, you stated that the Board would have to deal with “torches and pitchforks” over the incident. When the Board member asked for clarification about who would do so, Debra replied, “I would be leading that.”

I don’t remember using this phrase, but I don’t have a recording of the meeting, so I trust that I said some version of this. However, I believe I would have intended it in a light-hearted fashion. I think I was trying to emphasize that in previous years there have been significant (and valid) staffer complaints about hotel contracts being signed by the board without the inclusion or knowledge of staff (specifically, the two years that the Super MAGFest dates were moved very close to New Year’s Eve). I believe this also was referencing the fact that both members of the board and I have personally reassured some of those staffers, including the Techops and Music AV Department Heads at the time, that that situation would not happen again, but the board was preventing me from keeping those promises by keeping me out of hotel negotiations.

iii) In a phone call with the PR Team, you mentioned the Board was unequipped to handle difficult and safe-like issues and that is why you prefer to go through other channels.

There were multiple staff and employees in this meeting who can likely vouch that I am being misquoted here. My comment was that, when PR situations involve a specific demographic group, I like to seek opinions from members of that group or others who are sensitive to similar social issues (not instead of the board, but in addition to them, something I believe I took pains to specify). In this particular instance, I was reprimanded for saying that I wanted to seek the opinion of more people who were socialized as women on a PR response involving the sexual assault of a woman. (Other than our legal counsel, all our board members are men, and it is my belief that our legal counsel must give us her opinion first as our legal counsel before as a member of any demographic group she is a part of.)

iv) In collaboration with another employee and without notifying anyone above, a Twitter response was publicly made to blame yourself for mishandling a Safe case. When informed that this was unacceptable, you dismissed it by stating it was the right thing to do and it got us out of trouble. When informed that it may have helped, but it also hurt us and put you at risk, your attitude was still dismissive of wrongdoing.

I find this deeply distressing if not an outright lie. The conversation to develop the Twitter response occurred in a Slack channel that the board are all members of (#junk-drawer) and was not even threaded. The second and third sentences here are the most upsetting part of this entire document to me. I was never “informed that it was unacceptable,” although two board members made comments to the effect that we should “never have an individual staffer or employee take responsibility publically...our image isn't worth doing that to anyone” (I hope this reads to you like it did to me, which was a kind statement in the wake of a difficult situation rather than an admonition). At the PR post-mort meeting at which this was later discussed, we all agreed that we should not have highlighted an individual in our response, but also agreed that we had made our best judgment at the time, and decided to put together a PR playbook in order to provide guidance for such situations in the future.

The words that are attributed to me here are incorrect. I would absolutely never have said something to the effect of “getting us out of trouble” as I personally did not consider our PR response in this case to be very timely or effective. I also disagree completely that my attitude was dismissive of wrongdoing; this case affected me deeply personally and I could not have been more apologetic or regretful. I find this so offensive that I cannot even express it.

v) During a Safe meeting to discuss the PR issue, you shut off your camera and indicated that you were not willing to participate in the discussion. Safe only needed to review the parts of the situation that the team was not informed of and to inform new members of the process as a whole.

If having video on during Safe Committee (or any other meeting) is a requirement, it is not one that has ever been communicated to me. I informed the committee that I planned to stay quiet

because I was very sad about the case (I did not refuse to provide information in any way, just did not want to speak up much personally). To penalize me for turning off my camera and staying quiet during a deeply emotional moment shows a complete absence of compassion and is very out of line with our core values.

b) Removing the Board from HR without notifying anyone on the Board of this change.

I did do this and will accept accountability for it. This is the only example on this document that occurred during the time that the board was actually my supervisor. I agree I should have informed the board. I made this decision out of respect for the employees, some of whom expressed that they did not wish to use hr@magfest.org after a board member replied jokingly to an unimportant email that came to that address (previously, the employees had been unaware that the board received those emails, and they had concerns about personal and medical information being shared when it did not need to be). I brought their concerns up to the board, and suggested some alternatives including outlining specific kinds of emails that would always be sent to the board, but the board strongly wanted to stay on hr@magfest.org. I made the decision that I thought was best for employee privacy and comfort and removed the board from the HR list without telling them.

c) Negative connotations about the Board to combinations of employees and volunteers in various settings below:

i) Negatively referring to the Board during the 10/06/20 Office Fireside Chat when discussing the "MAGFest Philosophy club" and sharing inaccurate details which contradicted the Board. (Statement: "I see this as more than like, the magfest philosophy club, someone who will put pen to paper and help support departments; it's not just this word from on high that like this works or that doesn't work; I want it to have some meaning behind it, and some follow through for lack of a better term.")

This statement was clearly about the vision team that we were working to put into place for Virtual MAGFest 2021. You can view the video here: <https://youtu.be/0j00Spn4JGo?t=1610>. I cannot see how this was construed as "referring to the Board" or "sharing inaccurate details which contradicted the board."

d) Calling out Board Members in meetings, often in front of other Employees and non-Board volunteers.

i) Calling out the President of the Board in a confrontational manner with assumptions during a Contagioncy meeting for being too worried about something as small as a potential \$3 fee for attendees when getting refunds and neglecting the burn rate scenarios.

I did do this, but I feel it is being taken as a personal slight rather than a comment about what level of budgetary decisions are appropriate for the board vis a vis the employees. I did not

intend this as a callout to a specific individual. I expressed that I was frustrated that we had spent a significant portion of the meeting discussing whether or not to pass a \$3 refund fee onto attendees (which I feel is a decision that lies comfortably in the domain of the events director and business operations director per our written job descriptions, with input from the registration and code departments) in comparison to the amount of time that had so far been spent discussing the different versions of the employee furlough calendar (which I feel is a decision that lies with the executive director and the board).

ii) Being confrontational with the Secretary of the Board during a Board Meeting about diversity on the board in the context of a volunteer's candidacy and those people's dismissal of the General Counsel being a Board Member.

Again, I did do this, but I feel it is being taken as a personal slight rather than a comment on what types of actions are appropriate for a board to take. Also, other board members were what I would call "confrontational" during this meeting, and if I am being held to this standard, I hope they are too and would like to know what training they will be taking and who will be following up with them for review. During the BoD elections, two staffers made comments in the #elections channel regarding the demographic makeup of the board (Josiah Tillett acknowledged he would not be adding diversity to "a board of white dudes," and Mark Murnane stated in a later comment that he did not realize that Bunny was on the board). These two comments are what is being referred to above as "dismissal of the General Counsel being a Board Member." I took pains to acknowledge how frustrating and hurtful it must have felt for Bunny to read those statements. That said, I felt that the resolution she wanted to see from the board (which included a public statement from the board specifying that there is a woman member of the board, as well as an apology from both Josiah and Mark) would do a disservice to the overall pursuit of diversity, and was probably an example of BoD overreach. In my mind, requiring an apology would have penalized Josiah for mentioning diversity at all in his platform (when I think we should foster an atmosphere that is open to talking about diversity concerns). Likewise, a public statement from the board specifying that there is a woman member of the board might inadvertently discourage diverse candidates from applying or downplay the inarguable fact that the seven voting members of the board are all men.

iii) During a Board meeting, making a demeaning side comment about the President of the Board while thinking your microphone was muted.

In the disciplinary meeting, the board mentioned that I apologized for this comment and said it was accidental at the time (meaning, I knew it had happened at the time). However, I do not remember the incident. Do I believe some version of this happened? Yes. Do I believe the comment was demeaning? No, because I think if that had been the case, I would have been absolutely mortified of course and the incident would have stuck in my mind. When I asked what the comment was, the board could not remember or further describe the incident.

